



Briefing:

Human rights of older persons and their comprehensive care

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If you have any questions or would like future information please contact **Angela Kitching**, Head of External Affairs, at angela.kitching@ageuk.org.uk or 07825 724296

The Council of Europe [*Human rights of older persons and their comprehensive care*](#), was produced by the Committee on Social Affairs, Health and Sustainable Development, aiming to promote human rights of older persons.

It highlights that older people continue to suffer from negative stereotypes that lead to discrimination, isolation and exclusion. It also notes abuse remains a major problem and should be efficiently tackled, starting by raising public awareness of the issue, data collection and monitoring of long-term care institutions by an independent body.

It also calls on the Committee of Ministers to consider

Age UK is supportive of further international agreements which will improve protection of the rights of older people.

Age International has also published a [report](#) on the UN convention on the rights of older people.

A new international convention on the rights of older people would transform debates about how to respond to global ageing. It would clearly articulate the rights which every older person holds that would enable them to continue contributing to society across their lifetimes. It would provide older people with an important tool for holding their governments to account when they experience the harmful effects of age discrimination. The process of consulting on, drafting, ratifying and implementing a convention would drive the rights of older people and their needs up the agendas of governments worldwide.

Human rights and older people

Many people experience infringements of their human rights in later life.

Sadly abuse, neglect and undignified treatment are all too frequent occurrences and human rights standards provide vital protection for older people by helping to change practice and procedure, culture and attitudes, and offering redress when breaches of human rights have taken place.

Equality and human rights legislation, in the shape of the Equality Act 2010 and the Human Rights Act 1998, provides a comprehensive range of tools with which to

dignity and autonomy.

There are also five main articles of the European Convention on Human Rights that are significant for older people:

Article 2 - Right to life

Article 3 - Prohibition of torture, inhuman and degrading treatment

Article 5 - Right to liberty

Article 8 - Right to respect for private and family life

Article 14 - Prohibition of discrimination

Age UK works with government and other organisations to ensure the law is implemented effectively and not diminished, and to encourage service providers to take a proactive approach to the promotion and protection of older people.

Our work focuses on:

Promoting positive messages on human rights in the UK and engaging with policy proposals

Through Age International, engaging with UN work towards a Convention on the Rights of Older People

with existing human rights treaties and conventions

Ensuring that the prohibition on age discrimination works in practice

It is a well-established fact that the population of older people is large and growing. What is less well recognised is that the older population is also more diverse than ever before and will become more so. We seek to raise awareness of diversity among the older population and develop policy responses which tackle the inequalities faced by specific groups of older people.

The Centre for Policy on Ageing has conducted detailed reviews of some of these groups:

[Disability \(PDF 1.15MB\)](#)

[Ethnic minorities - Gypsies and travellers \(PDF 17rities](#)

But there is also the impact of professional practice and attitudes and the priorities of care settings which can treat older people as a bed that needs to be emptied rather than a person to be cared for. **The new government must acknowledge and address that the outcomes of poor care are not only clinical but can create fundamental**

The CQC [report](#) published on 6 July reveals more concerns on the quality of care.

Within the context of safety, the report found that levels of inadequate care have risen, with 25% of services not being considered good enough. Safety concerns can leave older people vulnerable to not receiving their prescribed medicine or their home visits being missed.

Caroline Abrahams, Charity Director of Age UK, described this apparent inequality as a

health and social care provider to validate the quality of the training and assessment that they organise, with no external validation or quality assurance system. This may lead to issues around certificate portability and variations in quality.

Although there may be some elements where a specialist assessor may be used to assess a standard, in general assessors for the Care Certificate are not required to hold any assessor qualification. The employer has only to characterise them as

It would be beneficial for the CQC to have lists of training providers. If clear trends emerge indicating that poor training may be a factor then action against that provider should be considered. Currently there is a lack of remedial action that can be taken against inadequate training providers but, given the potential risk and harm that they can cause, potential actions should be explored and shared by the CQC, in association with the National Trading Standards Board.

Age UK is calling for:

- a) A national accreditation scheme should be considered for training providers who wish to offer

Coercive behaviour and control is the dominant aspect of abuse this can make indicative patterns

within their local communities should therefore be seen as a key component in achieving this.

Residential care services that encourage visitors, involve families and the community are less likely to develop closed, institutional practices that will increase the risk of abuse and neglect.

Age UK recently released [research](#) on loneliness among older people, which found that half a million people over the age of 60 usually spend every day alone, with nearly half a million more usually going at least five or six days a week without seeing or speaking to anyone at all.

With 1.2 million older people in England now chronically lonely, having experienced loneliness for many years, the report warns that this is leading to an increased demand on health services, partly because people are more likely to develop health conditions such as heart problems, depression and dementia.

We also recently launched an [Index of Wellbeing in Later Life](#), which found that creative, cultural and social participation were all strong indicators of wellbeing.

Housing

Currently 9.3 million households are headed by a person over retirement age. By 2033, this is expected to increase to 13 million; an increase of 40 per cent on figures for 2008.

The Department of Communities and Local Government (DCLG) has projected that older households over 65 will represent almost half (48 per cent) of all household growth up to 2026.

Older people want comfortable and attractive housing alternatives that promote healthy and active lifestyles but too often they find themselves in poor or inaccessible housing, in the wrong places.

Getting housing right for older people could have immense benefits for society and the economy and Age UK has published a comprehensive [report on Housing in Later Life](#)

recommendations for action.

Older people want a range of choices and the vast majority will continue to look towards mainstream housing solutions. Tackling some of the barriers discussed in this report would dramatically increase the quality and diversity of provision.

We are also not building enough sheltered and retirement housing to meet projected demand. Retirement housing could have a more prominent role in helping older people free up family housing, with benefits for local housing markets. More retirement flats and communities are needed, but this should not exclude a range of different types of housing suitable for older people. If we build more retirement housing, we need to address issues around poor design, unfair contracts and excessive service charges that are likely to discourage older people.

Age UK wants to see:

